

to concentrate the metal or mineral in the bacteria; and

*B.1*  
*Out* recovering the concentrated metal or mineral from the bacteria.

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### REMARKS

Reconsideration and allowance of the above referenced application is respectfully requested.

Claims 23-32 are currently pending in the present application. Claims 24, 25, 27, 30, and 32 have been withdrawn from consideration. Claim 23 is amended above in response to the Examiner's Communication and in accordance with the teleconference between undersigned counsel and the Examiner cited above. The amendment to Claim 23 is fully supported by the specification and claims as originally filed.

By the above amendment to Claim 23, Applicants have more clearly defined the invention as required by the Examiner's Communication to include contacting a sponge that harbors a bacteria that is capable of concentrating a metal or mineral with sea water, the sponge having a symbiotic relationship with the bacteria. Having amended Claim 23 as discussed with the Examiner, Applicants hereby incorporate all earlier remarks submitted as well as the Declaration under 37 C.F.R. §1.132 of Dr. Winkler in support of patentability of the invention as now claimed.

### CONCLUSION

In light of the above, Applicants believe that this application is now in condition for allowance and therefore requests favorable consideration.

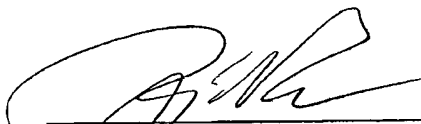
This Supplemental Amendment is hereby submitted by Facsimile.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PIPER RUDNICK LLP

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Date

  
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**MARKED-UP COPY OF AMENDED CLAIMS**

23. (Twice Amended) A method of recovering metals and minerals from sea water, comprising:

contacting a sponge that harbors bacteria capable of concentrating said metal or mineral with sea water, said sponge having a symbiotic relationship with said [a] bacteria [capable of concentrating said metal or mineral], so as to concentrate the metal or mineral in the bacteria; and

recovering the concentrated metal or mineral from the bacteria.